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DATE: MAY 28, 2002**OFFICIAL****FACSIMILE TRANSMITTAL**

ATTN: Pincus Laufer, Special Program Examiner

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FROM: Dinesh Agarwal, Esquire

RE: Serial No.: 09/985,734 – Petition for Accelerated Examination

NO. OF PAGES: 16 (including cover sheet)

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COMMENTS:

PER OUR CONVERSATION THIS MORNING, PLEASE FIND ENCLOSED A COPY OF
THE PETITION FOR ACCELERATED EXAMINATION (W/ SECOND SUPPLEMENTAL
IDS) FILED ON APRIL 26, 2002, TOGETHER WITH A COPY OF THE PTO DATE-
STAMPED RECEIPT. THE PRIOR ART IS ALREADY IN THE PTO FILE.

PLEASE LET US KNOW IF ANYTHING ELSE IS REQUIRED.

DINESH AGARWAL, REG. NO. 31,809

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4/26/2002

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\$ **130.00

One Hundred Thirty and 00/100***** DOLLARS

COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON DC 20231

Attorney's Docket No. US 1295/01

MEMO S.N. 09/985,734 - HAALA - Petition Under MPEP 708.02 (VIII)

⑈006192⑈ ⑆056001118⑆ 0934 8808⑈

Attorney's Docket No.: US 1295/01

In re Application of

Catherine A. HAALA

Serial No.: 09/985,734

Filed: November 6, 2001

For: **METHOD AND SYSTEM FOR OBSTRUCTING A PERSON FROM NEGOTIATING A TRANSACTION WITH ANOTHER PERSON, GROUP, OR ENTITY IN A POPULATION**

Including: Petition for Accelerated Examination Under 37 CFR § 1.102 and MPEP § 708.02 (VIII) (10 pages);
Second Supplemental Information Disclosure Statement (2 pages) with Form 1449B/PTO and nine
(9) cited references, including a copy of Washington Post article "National ID Card Gaining
Support", December 17, 2001 (pages 1-9); and a check in the amount of \$130.00.

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Attorney's Docket No.: US 1295/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : April 26, 2002
Catherine A. HAALA :
Serial No.: 09/985,734 :
Filed: November 6, 2001 : Group Art Unit: 2131
For: METHOD AND SYSTEM FOR : **Attn: Robert A. Weinhardt**
OBSTRUCTING A PERSON FROM : **Special Program**
NEGOTIATING A TRANSACTION : **Examiner**
WITH ANOTHER PERSON, GROUP,
OR ENTITY IN A POPULATION

PETITION FOR ACCELERATED EXAMINATION
UNDER 37 CFR § 1.102 AND MPEP § 708.02(VIII)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

It is respectfully requested that the above-identified application be granted special status and accelerated for examination purposes.

It is noted that a pre-examination search was made and the following references were located, copies of which are enclosed via a Second Supplemental Information Disclosure Statement. The enclosed references include those deemed most closely related to the subject matter encompassed by the claims. (It is noted that an Information Disclosure Statement was submitted

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with the application on November 6, 2001, and a Supplemental Information Disclosure Statement was submitted on January 11, 2002. The present Second Supplemental Information Disclosure Statement is being submitted in the event the previously submitted references are not present in the file or otherwise not available.)

PATENT

NAME

3,702,392	St. Jean
4,582,985	Löfberg
4,707,592	Ware
4,993,068	Piosenka et al.
6,148,091	DiMaria
6,208,264 B1	Bradney et al.
6,213,391 B1	Lewis
6,219,439 B1	Burger

NON-PATENT LITERATURE DOCUMENT

ROBERT O'HARROW JR. and JONATHAN KRIM, National ID Card Gaining Support, December 17, 2001, pages 1-9, The Washington Post, www.washingtonpost.com.

FIELD OF SEARCH

The pre-examination search was made in Class 235, Subclasses 375, 379, 380, 381, 382 and 494.

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DETAILED DISCUSSION OF THE REFERENCES

St. Jean (U.S. Patent 3,702,392) discloses methods and apparatus for verifying the identity of a bearer of a card having a plural digit identifying number and an associated security code. Each cardholder is assigned a security code by the card issuer and such security code is associated with certain digits of the plural digit identifying number on the card issued. An indication is provided as to whether or not the card presented should be accepted based on a successful or unsuccessful comparison operation.

Löfberg (U.S. Patent 4,582,985) discloses a data carrier which holds information about the owner, card issuing organization, account number, etc. and comprises an internal processor for processing supplied identification information of the owner during a card verification process, and for generating an acceptance signal as a result of a positive verification. The internal processor includes a verification device which comprises a sensor for sensing a fingertip of the owner and obtaining corresponding fingerprint line information.

Ware (U.S. Patent 4,707,592) discloses a financial card transaction system for protecting the financial transactions against fraud by reducing the dissemination of the cardholder's account code and the transaction data. The system includes a plurality of retail sales, each having a card reader that is connected by data channels to a transaction center with a computer that includes cardholder's records and a transaction number generator.

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Piosenka et al. (U.S. Patent 4,993,068) discloses an unforgeable personal identification system for identifying users at remote access control sites. The system generates one way encrypted versions of physically immutable identification credentials (facial photo, retinal scan, voice and fingerprints) stored on a portable memory device (credit card size). A comparison is performed with the credentials obtained from the memory device and with the user's physical identity to determine whether to allow or deny access at the remote site.

DiMaria (U.S. Patent 6,148,091) discloses a method and apparatus for controlling the distribution of age controlled merchandise or services based upon inputting personal information data encoded on an identification document, such as a driver's license, to determine whether the transaction is legal.

Bradney et al. (U.S. Patent 6,208,264 B1) discloses personal verification in a commercial transaction system in which a customer carries a card key containing a unique, machine-readable code. The code is an encrypted data set representing the user's thumbprint. The code and thumbprint are read by laser and must match previously recorded data before an identification of satisfactory identification can be returned.

Lewis (U.S. Patent 6,213,391 B1) discloses a system for identifying an individual either by generating an identification profile based on a distinctive biometric characteristic possessed by that person (e.g., voice analysis, fingerprint, facial scan, DNA, etc.), or by means of verifying some digital "signature" representation assigned to that person.

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Burger (U.S. Patent 6,219,439 B1) discloses a biometric authentication system that includes a dual input reader, the inputs consisting of stored physiological data of a user on a chip disposed on a smart card, and a fingerprint scan for comparison against the stored data.

THE INVENTION

The present application includes Claims 1-20, of which Claims 1, 14 and 17 are independent. Claims 1-16 are directed to a method of obstructing a person from negotiating a transaction with another person, group, or entity in a population. Claims 17-20 are directed to a national security system for obstructing a person from negotiating a transaction with another person, group, or entity in a population.

It is respectfully submitted that all Claims 1-20 are directed to a single invention. If the PTO determines that all the claims presented are not obviously directed to a single invention, the Applicant will make an election without traverse as a prerequisite to the grant of special status.

As recited in Claims 1 and 14, the present invention is directed to a method of obstructing a person from negotiating a transaction, including a second or subsequent transaction, with another person, group, or entity in a population, which includes, *inter alia*, storing the identifying characteristic and the profile information of each person, in a selected section of a population, on individual portable data devices. The data devices have an active and an inactive status. The identifying characteristic and the profile information is also stored collectively at a central location.

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The identifying biometric characteristic and the profile information of a person, wishing to negotiate a transaction, is determined from the portable data device carried by that person. The identifying characteristic and the profile information is compared with the corresponding identifying characteristic and the profile information stored at the central location for a successful or unsuccessful comparison. The profile information and biometric characteristic is also obtained directly from the person wishing to negotiate the transaction. The identifying characteristic and the profile information determined from the portable data device is compared with the identifying characteristic and the profile information obtained directly from the person for a successful or unsuccessful comparison. The active or inactive status of the data device carried by the person is determined.

The person is obstructed from negotiating a transaction if an unsuccessful comparison is indicated when the identifying characteristic and the profile information from the portable data device is compared with the identifying characteristic and the profile information pre-stored at the central location, or if the identifying characteristic and the profile information determined from the portable data device carried by the person does not compare with the identifying characteristic and the profile information obtained directly from the person. The person may also be obstructed from negotiating a transaction, if the status of the data device carried by that person is determined to be inactive. In the event, the status of the data device is determined to be inactive, an appropriate authority is notified.

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As recited in Claim 17, the present national security system for obstructing a person from negotiating a transaction with another person, group, or entity in a population, includes a national security card to be carried by each person in a selected section of a population. The card includes prestored profile information and an identifying biometric characteristic unique to each person. A card reader, with a biometric scanner, includes a first processing unit for comparing the biometric characteristic stored on the national security card of a person with the biometric characteristic obtained directly from that person for a successful or unsuccessful comparison. A remote second processing unit is provided to prestore profile information and an identifying biometric characteristic of each person in the selected section of the population. A communication link is provided between the card reader and the second processing unit. One of the first and second processing units compares the profile information and the biometric characteristic stored on the national security card with the profile information and the biometric characteristic prestored on the second processing unit for a successful or unsuccessful comparison. One of the card reader and the remote processing unit including means for determining the active or inactive status of the national security card and communicating an inactive status to a predetermined authority. The card reader includes an active and inactive indicator for indicating the active or inactive status of the national security card. An inactive status of the national security card obstructs a person from negotiating a transaction with another person, group, or entity in a population.

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By way of a non-limiting example, the system of the invention verifies a person's identity, immigration status, background record (criminal, etc.) as a prerequisite to negotiating or entering into a transaction with another person, group, or entity in a population. The system operates by verifying and crosschecking the identity of a person when that person wishes to negotiate any non-financial transaction, or any financial transaction over a predetermined threshold limit, with another person, group, or entity in the population. The person is obstructed from negotiating the transaction in the event a card carried by the person is determined to be inactive, invalid, or expired. (The card would be coded with, for example, background, biometric, expiration, etc., information. For instance, a card carried by a citizen in good standing (no criminal record, etc.) would be of unlimited duration, while a card carried by a non-citizen would be of limited/restricted duration.) The inability of the person to negotiate financial and/or non-financial transactions, such as purchasing airline tickets, leasing or purchasing automobiles, seeking education, seeking government benefits, seeking employment, purchasing real estate or other property, immobilizes that person as he/she would be unable to function in a population.

In summary, the claimed method and system for preventing or obstructing a person from negotiating a transaction with another person, group, or entity in a population, includes verifying and crosschecking the identity of the person, and the status of the national identification card carried by the person, as a prerequisite to negotiating or entering into a transaction, such as purchasing an

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airline ticket. If an irregularity is found during the verification or crosscheck, or if the data device is found to be invalid or expired, the person is prevented or obstructed from negotiating that, or any subsequent transaction with any other person, group or entity in the population.

As noted in paragraphs 0002-0003 of the application, security systems that verify the identity of a person, or an identification card carried by that person, are known. However, conventional systems do not provide any means for obstructing a person from negotiating a transaction with another person, group, or entity in a population. This is because in conventional systems, if the identity of the person is not confirmed, or if the identification card is found to be invalid or expired for some reason, the user is permitted to submit another card or identification, or the user simply does not execute the transaction. In other words, the user has the option to continue or discontinue with the transaction by providing an alternative means of identification or identification card.

The system of the present invention is unique in that the user does not have the option of continuing with the transaction, in the event the identity of that person/user is not verified, or if the data device carried by that person is determined to be inactive. Further, the claimed system notifies an appropriate authority if the status of the portable data device is determined to be inactive. Therefore, that person may also not have the option of discontinuing with the transaction. It is respectfully submitted that none of the references uncovered in the search are either directed to or disclose, at least these features of the claimed invention.

S.N. 09/985,734**CONCLUSION**

For the foregoing reasons, it is respectfully submitted that Claims 1-20 are patentable over the attached cited art. Therefore, it is respectfully requested that the above-identified application be accelerated for examination purposes.

Attached hereto is a check for \$130.00 to cover the fee under 37 CFR § 1.17(h). It is believed that no additional fee is due for this submission. Should that determination be incorrect, however, the Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment, to our Deposit Account No. 01-0433, and notify the undersigned in due course.

Should the Examiner have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Respectfully Submitted,



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